

Dear Environmental Committee:

I support S.B. 79, but request the following two items be added:

- 1) ADD "or to grow" in subsection (c), line 5, after the words "to be planted."
- 2) ADD subsection (g) to read "A private right of action may be maintained by an adjoining property owner to enforce the provisions of [subsection (c)] of this statute."

I believe the above items are necessary for two reasons. First, to bring clarity to the issue, and second, to enable a plaintiff to be eligible for attorney fees and expenses if he/she is the prevailing party. This provides a legal option to the homeowner if the town chooses not to take action.

Running bamboo is a serious problem in my Newtown and neighboring towns because most often it is planted on property lines for privacy. The current legislation which is unclear results in town governments not taking action. Therefore, we are left with a situation which pits neighbor against neighbor. Many homeowners do not have the resources to take legal action to protect their own property which is being threatened by the spread of running bamboo.

Thank for your consideration of the running bamboo issue.

Holly Kocet
2 Karen Boulevard
Newtown, CT 06470